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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

EPA Region 5 Records Ctr.



246175

REPLY TO THE ATTENTION OF

October 27, 1994

VIA FAX THEN
U.S. MAIL

Steven Cohen
Lawrence Cohen
Chicago International Exporting
Chicago International Chicago, Inc.
c/o Carolin K. Shining
Three First National Plaza
Suite 1960
Chicago, Illinois 60601
FAX (312) 251-0026

RE: Standard Scrap Metal/Chicago International Exporting
Site Chicago, Illinois

Dear Ms. Shining:

As you know, Respondents, including your clients, received a Unilateral Administrative Order ("Order"), issued by EPA under Section 106 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (CERCLA), to respond to the imminent and substantial endangerment to human health and the environment posed by hazardous substances at the above referenced site.

In an effort to further define the release or threat of release of hazardous substances from or at the Site, U.S. EPA conducted sampling at the Site on October 5, 1994. As a part of that sampling effort, U.S. EPA contractor Ecology & Environment sampled soil, and product material after it had been "shredded" as part of Respondent's scrap metal operation at the site.

As I indicated to you by telephone earlier today, preliminary results from the October 5, 1994 sampling indicate that the product material, which apparently is sold as scrap metal to other scrap metal dealers or users, is contaminated with PCBs at 170 ppm, which is well above 5 ppm, the maximum allowable limit for a residential area. Sample results from the scrap material processor indicate that material subject to "shredding" is contaminated with 270 ppm PCBs. Not only is such generation of contaminated material a violation of federal law, including

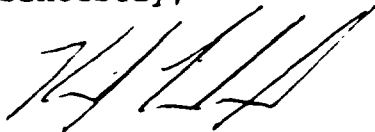
without limitation, the Toxic Substances Control Act, but transportation, storage and disposal of such contaminated material is also a violation of several federal hazardous waste laws including, without limitation, the Resource Conservation and Recovery Act (RCRA), and CERCLA.

Therefore, due to the seriousness nature of the preliminary sampling results, U.S. EPA requests that Respondents cease and desist from generating, storing, disposing or transporting such contaminated material, product, or waste. Also, assuming the preliminary sampling results are confirmed, such contaminated material is subject to removal under the Order, and any actions inconsistent therewith, such as transporting or selling such contaminated material by Respondents or other unauthorized persons, are a violation of the Order and may subject Respondents to a civil penalty of up to \$25,000 per day for each day of violation, in addition to any other penalty or fine under any other applicable federal or state law.

U.S. EPA will provide you with documentation of the above mentioned sampling results once the results are confirmed.

If you have any questions regarding this matter, please do not hesitate to call me at (312) 886-6831.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Lindland', with a stylized, cursive script.

Kurt N. Lindland
Assistant Regional Counsel

bcc: S. Faryan\WMD
D. Regel\WMD
E. Cohen\ORC